

# SEHC: Structural Options

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## SEHCSO 1: Context

In addressing the structural options for SEHC, I have prepared seven briefing notes to provide an initial starting point for moving forward:

SEHCSO 1: Context  
SEHCSO 2: Government Expectations  
SEHCSO 3: Values & Principles  
SEHCSO 4: Structural Options  
SEHCSO 5: Tenant Participation  
SEHCSO 6: Governance Skills  
SEHCSO 7: Incorporation Transfer

In correspondence of 23 November 2005, Matthew Somerville, Manager, Complex Care Services, Department of Human Services, specified: "..... it is important that SEHC are clear as to the options available to the organisation in relation to its on-going operation as a provider of Director of Housing owned accommodation. As such, DHS requests that prior to 11 April 2006, SEHC engage appropriate persons to lead them through a discussion/s of different organisational structures available to the organisation. This discussion should include:

1. The benefits of each structure.
2. The potential impact of each structure on the organisation.
3. How each structure can potentially meet the needs of the organisation's members.
4. The rationale for the choice of structure under which SEHC aims to be registered, or
5. A proposed process should SEHC elect not to be registered.

As a guide, registered Housing Providers can be:

1. A corporation limited by shares or by guarantee that is a non-profit body and that provides or is established to provide rental housing; or
2. An incorporated association or non-trading co-operative that is a non-profit body and that provides or is established to provide rental housing.

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Organisations can also elect not to be registered, in which case they could:

1. Amalgamate with another organisation that is, or will become a Registered Housing Provider, or
2. Dissolve the organisation.

SEHC is asked that by 11 April 2006 it provide written feedback from the discussions, that identifies:

1. The preferred organisational structure.
2. The benefits of that structure to SEHC.
3. How that structure best meets the needs of SEHC members.
4. The process to be undertaken to engage members of SEHC in this decision (if appropriate), and
5. Explanation as to why this organisational structure is considered to be in the best interests of SEHC and its members.

### **Issues for SEHC:**

Do the initial seven briefing notes provide a sufficient basis for a discussion by the board on structural options or is more work required before this discussion can proceed? The discussion would, of course, provide the basis for any further work that was necessary,

Is it possible and necessary to engage members in a process before 11 April 2006?

What will be the process for involving members on discussing and deciding on the structural options?

While the process for involving members could have the common features of a discussion/information paper, a special edition of the newsletter, meeting (s) and/or poll there will be differences depending on a decision and recommendation from the board e.g. retention of co-operative status, incorporation transfer, amalgamation with another organisation or winding-up. If the board decided to recommend an incorporation transfer, for example, this would require a special resolution passed by a special ballot.

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DHS assumes the board will make a decision on the preferred organisational structure before 11 April 2006. If the board complied with this expectation it would be subject to members – if members were not involved prior to 11 April 2006.

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